

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Jodi Hohman,

Plaintiff,

v.

Internal Revenue Service and Department
of the Treasury,

Defendant.

CASE NUMBER: 16-13282
HONORABLE VICTORIA A. ROBERTS
MAGISTRATE JUDGE MAJZOUN

ORDER ADOPTING REPORT AND RECOMMENDATION

On December 18, 2017, Magistrate Judge Majzoub issued a Report and Recommendation [Doc. 22], recommending that Defendants' Motion for Summary Judgment be **GRANTED IN PART AND DENIED IN PART**. Neither party filed objections within the fourteen day period pursuant to Fed.R.Civ.P 72(b) and 28 U.S.C. § 636(b)(1). Accordingly, the Court adopts the Report and Recommendation.

Defendants' motion is **GRANTED IN PART AND DENIED IN PART**, as follows:

1. The Court substitutes the Treasury Inspector General for Tax Administration ("TIGTA") in the place of the Department of Treasury.
2. Hohman's FOIA claim against the IRS is **DISMISSED AS MOOT**, and the IRS's Motion for Summary Judgment is **DENIED** in this regard.
3. TIGTA's Motion for Summary Judgment on Hohman's FOIA claim is **GRANTED** with regard to whether the information was properly exempted from disclosure under Exemption 7(C).
4. TIGTA's Motion for Summary Judgment on Hohman's FOIA claim is

DENIED without prejudice on segregability grounds. TIGTA is directed to produce a Vaughn index that describes each of the documents withheld and the reasons why those documents are non-segregable in sufficient detail to allow the court to make an independent assessment of its claims for non-segregability.

5. The IRS and TIGTA's Motion for Summary Judgment on Plaintiff's Privacy Act Claim is **GRANTED**. Plaintiff's Privacy Act claims are **DISMISSED**.
6. Hohman is permitted to file a motion for attorney's fees and costs against Defendant IRS pursuant to 5 U.S.C. 552(a)(4). She must file such motion on or before February 3, 2018.

IT IS ORDERED.

S/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: January 8, 2018

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on January 8, 2018.

S/Linda Vertriest
Deputy Clerk